

**Notice of Allowability**

Application No.

10/726,840

Examiner

Robert P. Swiatek

Applicant(s)

CONTE, JOANNE

Art Unit

3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to claims filed 4 December 2003.
2. ☒ The allowed claim(s) is/are 1.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Robert P. Swiatek*  
Robert P. Swiatek  
Primary Examiner  
Art Unit: 3643

*Reasons for Allowance*

The following is an examiner's statement of reasons for allowance: The claims in this application have been allowed because the prior art does not disclose a combination water bottle feeder and support having the various features recited in the claim. Specifically, while elevated supports for bottles and troughs were found in the prior art, none have a bottle with a cap, ball valve, and angled dispensing tube combined with a free-standing frame for supporting the bottle in the form of two substantially parallel, spaced apart, vertical left and right members of wire construction, at least four horizontally oriented members spaced apart transversely of the left and right members, and clip means for selectively attaching the bottle in a vertical orientation at any one of several specific heights.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The patents to Lang (US 625,271), Schacht (US 1,855,314), Lathrop (US 2,654,556), Austin (US 4,173,948), and Brown (US 5,090,587) have been cited to show examples of known bottle, container, and watering device supports.

RPS: ©703/308-2700  
4 June 2004

*Robert P. Swiatek*  
ROBERT P. SWIATEK  
PRIMARY EXAMINER  
ART UNIT 333 3643

(3) clip means for selectively attaching said bottle in a vertical orientation at said approximate first height of 13 inches preparatory to feed pet dogs in the classification of puppies and shihtzu species, at said approximate second height of 15¼ inches preparatory to feed pet dogs in the classification of Cocker Spaniel species, and at said approximate third height of 19 inches preparatory to feed pet dogs in the classification of German Shepherd and Labrador Retriever species;

RPS whereby said water bottle feeder in combined use on <sup>said</sup> ~~aid~~ frame support is adaptable to feed pet dogs in all popular domesticated classifications.